



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Wironen

Application No.: 10/056,217

Filed: 1/25/2002

Title: Injectable Porous Bone Graft Materials

Attorney Docket No.: RTI-139R

Group Art Unit:  
1755

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**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

Assistant Commissioner for Patents  
Washington, D.C. 20231  
Attention: Box Missing Parts

Sir:

This is in response to a Notice to File Missing Parts of Application under 37 CFR 1.53(b). Enclosed is a copy of said Notice and the following documents and fees to complete the filing requirements of the above-identified application.

- (X) Executed Declaration and Power of Attorney. The above-identified application is the same application which the inventor executed by signing the enclosed declaration.
- (X) Applicant is hereby entitled to and asserts small entity status for this application. Statutory basic filing fee of \$370.00 (X) Utility ( ) Design
- (X) Additional claim fees of \$468.00 (\$342.00 for 38 total claims over 20) and (\$126.00 for 3 independent claims over 3).
- (X) Missing Parts Surcharge of \$65.00.
- (X) A Petition for Extension of Time of four months for reply to Notice of Missing Parts is attached.

Respectfully submitted,

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit: August 16, 2002

Typed Name: Timothy H. Van Dyke

Signature: 

By   
Timothy H. Van Dyke, Reg. No. 43218

Date: August 16, 2002

**Customer N : 29847**

Van Dyke & Associates, P.A.  
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## PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)

Docket Number (Optional)  
RTI-139R

In re Application of Wironen

Application Number 10/056,217

Filed 1/25/2002

For Injectable Porous Bone Graft Materials

Group Art Unit  
1755

Examiner; Unknown

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and appropriate non-small-entity fee are as follows (check time period desired):

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- |   |                    |
|---|--------------------|
| <input type="checkbox"/> One month (37 CFR 1.17(a)(1))              | \$ <u>110.00</u>   |
| <input type="checkbox"/> Two months (37 CFR 1.17(a)(2))             | \$ <u>400.00</u>   |
| <input type="checkbox"/> Three months (37 CFR 1.17(a)(3))           | \$ <u>920.00</u>   |
| <input checked="" type="checkbox"/> Four months (37 CFR 1.17(a)(4)) | \$ <u>1,440.00</u> |
| <input type="checkbox"/> Five months (37 CFR 1.17(a)(5))            | \$ <u>1,960.00</u> |

☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore the fee amount shown above is reduced by one-half, and the resulting fee is: \$720.00.☒ A check in the amount of the fee is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account.☐ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number \_\_\_\_\_.  
I have enclosed a duplicate copy of this sheet.I am the ☐ applicant/inventor☐ assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☒ attorney or agent of record.☐ attorney or agent under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a) \_\_\_\_\_.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Date

Signature

Timothy H. Van Dyke, Reg. No. 43218  
Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 1 forms are submitted.

Burden Hour Statement: This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/056,217	01/25/2002	John F. Wironen	RTI-139R

29847  
VAN DYKE & ASSOCIATES, P.A.  
1630 HILLCREST STREET  
ORLANDO, FL 32803

CONFIRMATION NO. 6903

## FORMALITIES LETTER



\*OC000000007500542\*

Date Mailed: 02/20/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

00/23/2002 RDS:MMH 00000056 10056217

01 FC:201	370.00 CP
02 FC:202	126.00 CP
03 FC:203	342.00 CP
04 FC:205	65.00 CP

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- o The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- o Total additional claim fee(s) for this application is \$936.
  - \$684 for 38 total claims over 20.
  - \$252 for 3 independent claims over 3 .
- o The oath or declaration is unsigned.
- o To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- o **The balance due by applicant is \$ 1806.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE